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| APPLICATION NO.    | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------|-------------|----------------------|---------------------|------------------|
| 10/527,541         | 03/11/2005  | Lionel J. Milberger  | DQIP-140            | 7153             |
| 39705              | 7590        | 06/29/2007           | EXAMINER            |                  |
| LOREN G. HELMREICH |             |                      | BEACH, THOMAS A     |                  |
| 5718 WESTHEIMER    |             |                      | ART UNIT            |                  |
| SUITE 1800         |             |                      | PAPER NUMBER        |                  |
| HOUSTON, TX 77057  |             |                      | 3671                |                  |
|                    |             |                      | MAIL DATE           | DELIVERY MODE    |
|                    |             |                      | 06/29/2007          | PAPER            |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |   |  |
|------------------------------|--------------------------------------|---|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/527,541 | <b>Applicant(s)</b><br>MILBERGER ET AL. |  |
|                              | <b>Examiner</b><br>Thomas A. Beach   | <b>Art Unit</b><br>3671                 |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-13,15,17-20,23,25-31,33 and 34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,7,11,13,15,17-20,23,25,29,31,33 and 34 is/are rejected.
- 7) ☒ Claim(s) 8-10,12,26-28 and 30 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                               | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                      | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 7, 11, 13,15,17-20, 23, 25, 29, 31, 33 and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Couren et al 7,062,960. Couren shows a subsea drilling/completion system and method, haivng a high-pressure riser 19 extending between a platform and a subsea wellhead; a landing string extending inside the-length-of-said riser; a surface blowout preventer disposed on said riser above the sea surface (col. 2, lines 10-25); a tubing hanger running tool (test tool, col. 5, lines 60+) adapted to be run through said riser; wherein said tubing hanger running tool is controlled by means of hydraulic pressure communicated through said landing string (fig 4).

As concerns claims 2, 18 and 34, Couren shows a subsea blowout preventer 10 disposed around said landing string below said sea surface substantially adjacent to said wellhead (fig 6).

As concerns claims 3 and 19, Couren shows the tubing hanger running tool is controlled by means 70 of hydraulic pressure communicated inside said riser and outside said landing string.

As concerns claims 4 and 20, Couren shows tubing hanger running tool is controlled by hydraulic pressure communicated through said landing string 70.

As concerns claims 5 and 23, Couren shows the tubing hanger running tool is controlled by means of hydraulic pressure communicated through an umbilical line extending inside said riser and outside 70 (fig 9, adjacent 112).

As concerns claims 7 and 25, Couren shows the a protective structure protecting said umbilical line when said subsea blowout preventer is closed around said landing string (fig 9).

As concerns claims 11 and 29, Couren shows a substantially annular sealing structure sealing said umbilical in said riser conduit (col. 10. lines 30+; fig 4).

As concerns claims 13 and 31, Couren shows the tubing hanger running tool is controlled by means of hydraulic pressure communicated through an umbilical line extending alongside and outside said riser 40 (fig 4).

As concerns claims 15 and 33, Couren shows the tubing hanger running tool is controlled by means of hydraulic pressure communicated through an umbilical line extending inside said landing string (fig 4).

***Allowable Subject Matter***

3. Claims 8-10, 12, 26-28, and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Beach whose telephone number is 571.272.6988. The examiner can normally be reached on Monday-Friday, 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached on 571.272.6998. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Thomas A. Beach

June 24, 2007

**THOMAS A. BEACH**  
Primary Examiner  
Group 3600